

1 Stephen C. Ruehmann (167533)
2 **LAW OFFICES OF STEPHEN C. RUEHMANN**
3 770 L Street, Suite 950
4 Sacramento, CA 95814
5 Tel (916) 449-3939/Fax (916) 449-3929
6 ruehmannlaw@yahoo.com

7 Marc A. Fisher, Esq. (47794) **E-filing**
8 **LAW OFFICES OF MARC A. FISHER**

9 9580 Oak Avenue Parkway, #15
10 Folsom, CA 95630
11 Tel (916) 988-8001/Fax (916) 988-8002
12 mfisher@cosentinolaw.com

R E C E I V E D
DEC 21 2009

9 Attorneys for Plaintiffs
10 ANILECH SHARMA and
11 PARMA SHARMA

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 ANILECH SHARMA and PARMA) Case No.: **C09-05968 VRW**
15 SHARMA,)
16 Plaintiffs,) [proposed] ORDER GRANTING
17 vs.) TEMPORARY RESTRAINING ORDER AND
18 PROVIDENT FUNDING ASSOCIATES,) ORDER TO SHOW CAUSE PENDING
19 L.P.; a California limited partnership;) PRELIMINARY INJUNCTIONPLAINTIFFS
20 PREFERRED MORTGAGE, a California) COMPLAINT FOR:
21 business entity, form unknown;)
22 MORTGAGE ELECTRONIC) DATE: December 21, 2009
23 REGISTRATION SYSTEMS, INC.; a) TIME: TBA
24 California corporation; MAX DEFAULT) DEPT: TBA
25 SERVICES CORPORATION, a California) JUDGE: TBA
corporation; and DOES 1-100, inclusive,)
Defendants.))
))

ADR

26 On reading the complaint of Plaintiffs ANILECH SHARMA and PARMA SHARMA ,
27 memorandum of points and authorities in support of ex parte application for TRO/OSC and
28

1 supporting declarations, it appears to the satisfaction of the Court that this is a proper case
2 for granting a temporary restraining order and an order to show cause pending preliminary
3 injunction, and that unless the temporary restraining order prayed for be granted, great or
4 irreparable injury will result to Plaintiffs before the matter can be heard on regular notice.

5 Accordingly,

7 IT IS HEREBY ORDERED that Defendants PROVIDENT FUNDING ASSOCIATES,
8 L.P.; a California limited partnership; PREFERRED MORTGAGE, a California business entity,
9 form unknown; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; a California
10 corporation; MAX DEFAULT SERVICES CORPORATION, a California corporation; and
11 DOES 1-100, inclusive, and each of them, appear in Department ____ of this Court on
12 _____, 2010, at _____ AM/PM, or as soon as thereafter as the matter may
13 be heard, then and there to show cause, if any they have, why they and their agents, servants,
14 employees, and representatives, and all persons acting in concert or participating with them,
15 should not be enjoined or restrained during the pendency of this action from engaging in,
16 committing, or performing, directly or indirectly, any and all of the following acts:

- 17 a. Selling, transferring, conveying, evicting or any other conduct adverse to
18 Plaintiffs regarding the real property located at 22169 Betlen Way, Castro Valley,
19 California 94546.

20 IT IS FURTHER ORDERED that, pending the hearing and determination of the order to
21 show cause the above named defendants, and each of them, and their officers, agents, employees,
22 representatives and all persons acting in concert or participating with them, are restrained and
23 enjoined from engaging in or performing directly or indirectly, any and all of the following acts:
24

- 25 a. Selling, transferring, conveying, evicting or any other conduct adverse to plaintiff
26 regarding the real property located at 22169 Betlen Way, Castro Valley, California
27 945461.

28 IT IS FURTHER ORDERED that:

1 a. Plaintiff shall serve this order to show cause on defendants in the following manner:

2 _____

3 b. Proof of service must be delivered to the court hearing the OSC on :

4 _____

5 c. The parties shall adhere to the following briefing schedule:

6 Plaintiff: _____, 2009

7 Defendants: _____, 2010

8 Reply: _____, 2010

9 The temporary order shall expire on: _____, 2010

10 IT IS FURTHER ORDERED that copies of the complaint, ex parte application,
11 declarations, memorandum of points and authorities and this order to show cause and temporary
12 restraining order be served on defendants no later than _____, 2009.

13 If bond on this temporary restraining order is required it shall be a nominal sum in the
14 amount of \$ _____.

15 Affected parties may apply to this Court for modification or dissolution of this Order on 2
16 days' notice or on such shorter notice as the Court may allow. See Local Rule 65-231 and FRCP
17 65(b).

18 Dated: December r_____, 2009 Time of Issuance _____ AM/PM

21 DISTRICT COURT JUDGE